

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ALICIA OWENS WALKER,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:20-CV-978-WKW
)	[WO]
THE MONTGOMERY COUNTY)	
BOARD OF EDUCATION, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the court is Plaintiff's motion for extension of time. (Doc. # 41.)

On June 24, 2021, Defendant Mary Phelan-Jackson moved to dismiss Plaintiff's claims against her on various grounds. (Doc. # 30.) The Magistrate Judge ordered Plaintiff to respond to the motion on or before August 6, 2021. (Doc. # 32.) On August 30, 2021, when no response had been filed, the Magistrate Judge again ordered Plaintiff to file a response, this time on or before September 7, 2021. (Doc. # 35.) Plaintiff did not file a response.

On January 25, 2022, the Magistrate Judge filed a recommendation, recommending that Phelan-Jackson's Motion to Dismiss be granted and that Plaintiff's claims against Phelan-Jackson be dismissed. The Magistrate Judge ordered that any objections to the recommendation be filed on or before February 8, 2022. (Doc. # 39.)

On February 10, 2022, when no objection had been filed, the court adopted the recommendation of the Magistrate Judge, granted Phelan-Jackson's motion to dismiss, and dismissed Plaintiff's claims against Phelan-Jackson. (Doc. # 40.) Plaintiff's action remains pending against the Montgomery County Board of Education and three other named Defendants.

On March 23, 2022, the present motion for extension of time was filed. Plaintiff's motion states that she has been ill and that she needs time to seek assistance with submitting a response.

Nearly nine months after the motion to dismiss was filed, more than one month after the motion was granted, and with three court orders to respond to the motion ignored, the time for a response has long since passed. The motion, as expertly explained in the Magistrate Judge's recommendation, was clearly meritorious. Accordingly, it is ORDERED that Plaintiff's motion for extension of time is DENIED.

DONE this 6th day of April, 2022.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE